

Message

From: Chiccine, Catherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=55AD7B3B57A242A59AFC49CA0CDE192A-CHICCINE, C]
Sent: 5/11/2020 6:40:07 PM
To: Barrientos, Brittany A. [brittany.barrientos@stinson.com]
Subject: FW: Citizens Gas and Electric Notice Letters
Attachments: FRASER-#2352736-v2-OPPD_s_Response_to_EPA_s_General_Notice_Letter.pdf

From: McNamara, Katherine <KMCNAMARA@FraserStryker.com>
Sent: Monday, May 11, 2020 11:34 AM
To: Chiccine, Catherine <chiccine.catherine@epa.gov>; Bruckner, Stephen <SBRUCKNER@FraserStryker.com>
Subject: RE: Citizens Gas and Electric Notice Letters

Cathie,

On behalf of OPPD, please see the attached correspondence.

Regards,

Kate McNamara



Katherine A. McNamara
Attorney
Fraser Stryker PC LLO
500 Energy Plaza | 409 South 17th Street | Omaha, NE 68102
Direct Dial 402.978.5371 | Fax 402.341.8290
kmcnamara@fraserstryker.com

The information contained in this message is confidential and may be attorney-client privileged. It is intended only for the use of the individual or entity identified above. If the receiver of this message is not the intended recipient, you are hereby notified that reading, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please immediately notify the sender by replying to the address noted above and delete the message. Thank you

From: Chiccine, Catherine [<mailto:chiccine.catherine@epa.gov>]
Sent: Monday, April 20, 2020 6:54 AM
To: McNamara, Katherine; Bruckner, Stephen
Subject: RE: Citizens Gas and Electric Notice Letters

Kate,

Sure, I completely understand. EPA does not object to a three-week extension of time until Monday, May 11 for OPPD to respond to EPA's general notice letter.

Best,

Cathie Chiccine | Attorney-Advisor
United States Environmental Protection Agency, Region 7
913.551.7917 | 11201 Renner Boulevard, Lenexa, Kansas 66219
chiccine.catherine@epa.gov

From: McNamara, Katherine <KMCNAMARA@FraserStryker.com>
Sent: Friday, April 17, 2020 3:53 PM
To: Chiccine, Catherine <chiccine.catherine@epa.gov>; Bruckner, Stephen <SBRUCKNER@FraserStryker.com>
Subject: RE: Citizens Gas and Electric Notice Letters

Cathie,

Thank you for providing the additional documentation and clarification.

Now that we have all of the documents, we need some additional time to review and respond to EPA's General Notice Letter. In addition to the overall issues that have resulted from COVID-19, OPPD has also been involved in numerous large-scale projects over the last month. We'd respectfully ask for three weeks so that we may formulate and provide a response. I assume that you will have no objection to this, but please confirm.

Thank you,

Kate McNamara



Katherine A. McNamara
Attorney
Fraser Stryker PC LLO
500 Energy Plaza | 409 South 17th Street | Omaha, NE 68102
Direct Dial 402.978.5371 | Fax 402.341.8290
kmcnamara@fraserstryker.com

The information contained in this message is confidential and may be attorney-client privileged. It is intended only for the use of the individual or entity identified above. If the receiver of this message is not the intended recipient, you are hereby notified that reading, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please immediately notify the sender by replying to the address noted above and delete the message. Thank you.

From: Chiccine, Catherine [<mailto:chiccine.catherine@epa.gov>]
Sent: Wednesday, April 15, 2020 9:37 AM
To: McNamara, Katherine; Bruckner, Stephen
Subject: RE: Citizens Gas and Electric Notice Letters

Kate,

I went back through the FOIA documents produced, and, with the exceptions discussed below, EPA has provided all of the 104(e) submissions from all recipients of 104(e) information requests, including MidAmerican Energy, Northern Natural Gas, and TXU Energy. EPA did not submit an information request to Black Hills Energy because Black Hills assumed liability at the Site.

1. It looks as though there was one document, Sempra Energy's 104(e) response, that was inadvertently excluded from the production – I am not sure if the FOIA staff thought it was a duplicate, because the exhibits to Sempra's response were produced. I have attached it hereto.
2. In addition, MidAmerican had provided EPA with a 2003 letter to IDNR, but had not included the attachments to the letter. We recently (today!) got the 2003 letter with attachments uploaded into our system; I have attached it hereto.
3. MidAmerican also recently provided EPA with additional documentation in response to the general notice letter EPA sent out. While technically not part of the FOIA request, I've attached it hereto.

By providing these documents, I believe that the complete 104(e) response submissions of all the PRPs have been provided.

Additionally, we have not received a response from OPPD regarding participation in the ASAOC. Is OPPD planning on participating in the ASAOC negotiation?

Thanks,

Cathie Chiccine | Attorney-Advisor
United States Environmental Protection Agency, Region 7
913.551.7917 | 11201 Renner Boulevard, Lenexa, Kansas 66219
chiccine.catherine@epa.gov

From: McNamara, Katherine <KMCNAMARA@FraserStryker.com>
Sent: Tuesday, April 14, 2020 8:32 AM
To: Chiccine, Catherine <chiccine.catherine@epa.gov>; Bruckner, Stephen <SBRUCKNER@FraserStryker.com>
Subject: RE: Citizens Gas and Electric Notice Letters

Cathie,

In reviewing the documents EPA provided in response to our FOIA request, it appears we received copies of the 104(e) submissions from Black Hills Energy, Northern Natural Gas, MidAmerican Energy, and TXU Energy, but I am not sure whether we received the complete submissions. It looks as though we might have only received supplemental correspondence and documents submitted by some of these entities, given the dates of the correspondence.

Can you please confirm that we were provided with the complete 104(e) submissions from all of the PRP's identified in the General Notice Letter? And if not, can you please supplement? We would appreciate it.

Thank you!

Kate McNamara



Katherine A. McNamara
Attorney
Fraser Stryker PC LLO
500 Energy Plaza | 409 South 17th Street | Omaha, NE 68102
Direct Dial 402.978.5371 | Fax 402.341.8290
kmcnamara@fraserstryker.com

The information contained in this message is confidential and may be attorney-client privileged. It is intended only for the use of the individual or entity identified above. If the receiver of this message is not the intended recipient, you are hereby notified that reading, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please immediately notify the sender by replying to the address noted above and delete the message. Thank you.

From: McNamara, Katherine
Sent: Wednesday, April 01, 2020 10:09 AM
To: 'Chiccine, Catherine'; Bruckner, Stephen
Subject: RE: Citizens Gas and Electric Notice Letters

Received.

Thank you.



Katherine A. McNamara

Attorney

Fraser Stryker PC LLO

500 Energy Plaza | 409 South 17th Street | Omaha, NE 68102

Direct Dial 402.978.5371 | Fax 402.341.8290

kmcnamara@fraserstryker.com

The information contained in this message is confidential and may be attorney-client privileged. It is intended only for the use of the individual or entity identified above. If the receiver of this message is not the intended recipient, you are hereby notified that reading, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please immediately notify the sender by replying to the address noted above and delete the message. Thank you.

From: Chiccine, Catherine [<mailto:chiccine.catherine@epa.gov>]

Sent: Wednesday, April 01, 2020 9:27 AM

To: Bruckner, Stephen; McNamara, Katherine

Subject: Citizens Gas and Electric Notice Letters

Stephen and Kate,

This email is a follow-up to my prior email regarding the Citizens Gas notice letter we sent you. We have been having some issues with mail and it appears the attachments to the letter weren't sent via email the first time around, so I've attached the notice letter attachments hereto.

Thanks,

Cathie Chiccine | Attorney-Advisor

United States Environmental Protection Agency, Region 7

913.551.7917 | 11201 Renner Boulevard, Lenexa, Kansas 66219

chiccine.catherine@epa.gov